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US EPA RECORDS CENTER REGION 5



469995

January 12, 1998

VIA TELECOPIER

Kurt Lindland, Esq.
Assistant Regional Counsel
US EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Albion - Sheraton Township Landfill Site

Dear Mr. Lindland:

This letter is sent in response to the telephone conversation we had last Wednesday, January 7, 1998 in which you informed me that U.S. EPA and U.S. DOJ have rejected the offer of my clients to discuss resolution of this matter with just my clients. You requested that my clients send a letter to the recalcitrant parties, setting forth the terms of our proposal to you. This is highly unusual to request the performing parties to offer settlement terms in this manner to recalcitrants. My clients have not authorized me to send such a letter.

Cooper Industries and Corning, Inc., however, have authorized me to state that they are willing to have me participate in a meeting with you and representatives of Decker and Albion to discuss the possibility of a global settlement. The meeting could take place either here in Grand Rapids, where three of the parties have counsel, or in Chicago. The burden should be placed on the recalcitrant parties to propose a good faith comprehensive settlement offer at that meeting.

Before Cooper and Corning are willing to consider a position other than that generally discussed during our meeting on December 8, it is essential for a concrete position to be taken by the City of Albion, and by Decker Manufacturing which so far have refused to perform the Unilateral Administrative Order.

Should you wish to pursue this approach further, please call me at your convenience.

Sincerely,

Eugene E. Smary
Eugene E. Smary

klh

cc: Cooper Industries
Corning, Inc.

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